

1 RENE L. VALLADARES  
2 Federal Public Defender  
3 Nevada State Bar No. 11479  
4 BRIAN PUGH  
5 Assistant Federal Public Defender  
6 411 E. Bonneville, Ste. 250  
7 Las Vegas, Nevada 89101  
8 (702) 388-6577/Phone  
9 (702) 388-6261/Fax  
10 Brian\_Pugh@fd.org

11 Attorney for Robert George Beane

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 UNITED STATES OF AMERICA,

15 Case No. 2:23-mj-0877-DJA

16 Plaintiff,

17 **Stipulation to Extend Deadlines to**  
18 **Conduct Preliminary Hearing and**  
19 **File Indictment (Fifth Request)**

20 v.

21 ROBERT GEORGE BEANE,

22 Defendant.

23 IT IS HEREBY STIPULATED AND AGREED, by and between Jason M. Frierson,  
24 United States Attorney, and Mina Chang, Assistant United States Attorney, counsel for the United  
1 States of America, and Rene L. Valladares, Federal Public Defender, and Brian Pugh, Assistant  
2 Federal Public Defender, counsel for Defendant Robert George Beane, that the preliminary  
3 hearing in the above-captioned case, previously scheduled for September 9, 2024, at 4:00 p.m.,  
4 be vacated and continued until a time convenient to the Court, but no earlier than 90 days from  
5 the date of the filing of this stipulation.

6 This request requires that the Court extend two deadlines: (1) that a preliminary hearing  
7 be conducted within 14 days of a detained defendant's initial appearance, *see* Fed. R. Crim. P.  
8 5.1(c); and (2) that an information or indictment be filed within 30 days of a defendant's arrest,  
9 *see* 18 U.S.C. § 3161(b).

10

11

1       This stipulation is entered into for the following reasons:

2       1.       Federal Rule of Criminal Procedure Rule 5.1(d) provides that “[w]ith the  
3 defendant’s consent and upon a showing of good cause—taking into account the public interest  
4 in the prompt disposition of criminal cases—a magistrate judge may extend the time limits [for  
5 preliminary hearings] one or more times.” Here, the parties desire to explore the potential to  
6 resolve this matter before the defendant is formally charged by a criminal indictment.

7       2.       The government needs additional time to produce additional discovery to defense  
8 counsel. Defense counsel will need additional time to review the discovery, conduct additional  
9 investigation, and confer with the defendant about how to proceed prior to a preliminary hearing  
10 or indictment.

11       3.       This continuance is not sought for the purposes of delay, but to allow the defense  
12 an opportunity to examine the merits of this case before deciding whether to accept the parties’  
13 plea agreement.

14       4.       Defendant is not in custody and does not object to the continuance.

15       5.       The parties agree to the continuance.

16       6.       Denial of this request could result in a miscarriage of justice.

17       7.       The additional time requested by this stipulation is excludable in computing  
18 the time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. §  
19 3161(b), and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

8. This is the parties' fifth request for a continuance of the preliminary hearing.

DATED this 5th day of September, 2024.

Respectfully submitted,

RENE L. VALLADARES  
Federal Public Defender

JASON M. FRIERSON  
United States Attorney

/s/ Brian Pugh  
BRIAN PUGH, AFPD  
Assistant Federal Public Defender  
*Counsel for Defendant Beane*

/s/ Mina Chang  
MINA CHANG  
Assistant United States Attorney  
*Counsel for the United States*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

No. 2:23-mj-0877-DJA

Plaintiff,

ROBERT GEORGE BEANE,

## **FINDINGS AND ORDER**

Defendant.

Based on the pending Stipulation between the defense and the government, and good cause appearing therefore, the Court hereby finds that:

1. The parties desire to continue the preliminary hearing to facilitate pre-indictment resolution. The government will be providing defense counsel with additional discovery, and defense counsel will need additional time to review the discovery and discuss the case with the defendant prior to a preliminary hearing or indictment. The Court finds good cause to continue the hearing to allow the parties to reach a possible pre-indictment resolution.

2. Both counsel for defendant and counsel for the government agree to the continuance.

3. Defendant is not in custody and does not object to the continuance.

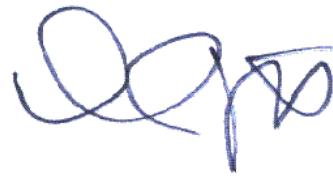
4. The continuance is not sought for the purposes of delay, but to allow the defense an opportunity to examine the merits of this case before a potential resolution can be reached between the parties.

5. Denial of this request could result in a miscarriage of justice, and the ends of justice served by granting this request outweigh the best interest of the public and the defendant in a speedy trial.

1       6. The additional time requested by this stipulation is excludable in computing the  
2 time within which indictment must be filed pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(b),  
3 and considering the factors under 18 U.S.C. § 3161(h)(7)(A) and (B)(i) and (iv).

4       THEREFORE, IT IS HEREBY ORDERED that the preliminary hearing in the above-  
5 captioned matter currently scheduled for September 9, 2024 at 4:00 p.m. be vacated and continued  
6 to **November 18, 2024, at 4:00 p.m.**

7       DATED this 6th day of September, 2024.



---

8       HONORABLE DANIEL J. ALBREGTS  
9       UNITED STATES MAGISTRATE JUDGE

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24